

Message

From: Boydston, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DCF50BF734B64D33AE1C963B175A3487-BOYDSTON, MICHAEL]
Sent: 1/21/2016 10:20:02 PM
To: O'Connor, Darcy [oconnor.darcy@epa.gov]
CC: Schuller, Jennifer [Schuller.Jennifer@epa.gov]; Shea, Valois [Shea.Valois@epa.gov]; Chin, Lucita [Chin.Lucita@epa.gov]; Minter, Douglas [Minter.Douglas@epa.gov]; Varilek, Kimberly [Varilek.Kimberly@epa.gov]
Subject: RE: Discussion w/John Mays
Attachments: NHPA Background for DB.docx

Hi Darcy – Attached is a background paper for your use during the call. If you have a chance to look it over beforehand and have any questions, please let me know. Anyone else's edits/comments are welcome too. On the call, I would

Ex. 5 Attorney Client (AC)

Michael Boydston
Associate Regional Counsel, EPA Region 8
303.312.7103

From: Boydston, Michael
Sent: Thursday, January 21, 2016 12:47 PM
To: O'Connor, Darcy <oconnor.darcy@epa.gov>
Cc: Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>; Varilek, Kimberly <Varilek.Kimberly@epa.gov>
Subject: RE: Discussion w/John Mays

Thanks, Darcy. I'm working on something and will have it for you before the call. (I'll try to get it done in time to circulate for others' review too.)

Michael Boydston
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From: O'Connor, Darcy
Sent: Thursday, January 21, 2016 10:35 AM
To: Chin, Lucita <Chin.Lucita@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Varilek, Kimberly <Varilek.Kimberly@epa.gov>
Cc: Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Discussion w/John Mays

It was Bob that John mentioned when he said they had used him in an advisory capacity but not as legal counsel.

With all the unknowns here, my suggestion is that legal not participate – though you will be sorely missed! ☺

Please provide me talking points around the NHPA questions and any other matters you think I either need to convey information on or be mindful that information should be requested through a more formal process – FOIA.

Thanks!
D

From: Chin, Lucita
Sent: Thursday, January 21, 2016 10:14 AM

To: Minter, Douglas <Minter.Douglas@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Varilek, Kimberly <Varilek.Kimberly@epa.gov>
Cc: Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Discussion w/John Mays

They have also used Chris Pugsley on some matters related to this project, though maybe they consider him their attorney on NRC matters.

Lucita Chin
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From: Minter, Douglas
Sent: Thursday, January 21, 2016 10:11 AM
To: O'Connor, Darcy <oconnor.darcy@epa.gov>; Boydston, Michael <Boydston.Michael@epa.gov>; Varilek, Kimberly <Varilek.Kimberly@epa.gov>
Cc: Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>
Subject: RE: Discussion w/John Mays

This is curious only because I thought John's team had retained a well know UIC attorney on their permit applications in the recent past: Bob Van Voorhees. Perhaps Bob is only in an advisory role.

Douglas

From: O'Connor, Darcy
Sent: Thursday, January 21, 2016 8:22 AM
To: Boydston, Michael <Boydston.Michael@epa.gov>; Varilek, Kimberly <Varilek.Kimberly@epa.gov>
Cc: Minter, Douglas <Minter.Douglas@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>
Subject: Discussion w/John Mays

I spoke with John this morning about the attorney piece. He said that they did not want to involve any of their attorneys at this point, that they were really just looking for updates. I asked if they were represented by anyone who was focusing on the UIC permit at this point – he said no. They were being advised by someone but they were not retained as legal counsel.

Ex. 5 Attorney Client (AC)

Thanks!
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